

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS AND LABOR

**Call to Order:** Chair Mark Noland, on February 24, 2017 at 8:00 AM, in Room 172  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Mark Noland, Chair (R)  
Rep. Amanda Curtis, Vice Chair (D)  
Rep. Vince Ricci, Vice Chair (R)  
Rep. Fred Anderson (R)  
Rep. Willis Curdy (D)  
Rep. Ross H. Fitzgerald (R)  
Rep. Bruce Grubbs (R)  
Rep. Steve Gunderson (R)  
Rep. Denley M. Loge (R)  
Rep. Gordon Pierson Jr (D)  
Rep. Adam Rosendale (R)  
Rep. Sharon Stewart-Peregoy (D)  
Rep. Jeremy Trebas (R)  
Rep. Sue Vinton (R)  
Rep. Daniel Zolnikov (R)

**Members Excused:** Rep. Moffie Funk (D)  
Rep. Andrea Olsen (D)  
Rep. Casey Schreiner (D)  
Rep. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Karen Armstrong, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 531, 2/21/2017; HB 535, 2/21/2017; HB 557, 2/22/2017  
Executive Action: HB 291, HB 358, HB 412, HB430, HB449, HB462, HB 506,  
HB 508, HB 515, HB 519, HB 531, HB 535, HB 541, HB 544,  
HB 549, HB 557

00:03:52 Rep. Schreiner joined the meeting

**HEARING ON HB 557**

**Opening Statement by Sponsor:**

00:04:01 Rep. Virginia Court (D), HD 50, opened the hearing on HB 557, Revise insurance laws pertaining to voluntary traffic safety program.

00:04:57 Rep. Windy Boy joined the meeting.

**Proponents' Testimony** None

**Opponents' Testimony:**

00:10:11 Greg Van Horssen, State Farm Insurance Company

00:14:14 Bruce Spencer, All State Insurance

00:15:50 Aimee Grmoljez, Property Casualty Insurers Association of America

00:17:17 Jon Metropoulos, Farmers Insurance Group and American Insurance Association

**Informational Testimony:**

00:17:50 Bob Biskupiak, Office of the State Auditor (OSA)

**Questions from Committee Members and Responses:**

00:18:15 Rep. Trebas

00:18:31 Greg Van Horssen, State Farm Insurance Company

**Closing by Sponsor:**

00:18:57 Rep. Court

**HEARING ON HB 535**

**Opening Statement by Sponsor:**

00:21:28 Rep. Jim Hamilton (D), HD 61, opened the hearing on HB 535, Revise laws on siting of bars and taverns.

**EXHIBIT(buh41a01)**

**Proponents' Testimony:**

00:28:45 Julie Kleine, Self

00:31:08 Chair Noland left the meeting and Vice Chair Ricci assumed the chair.

00:32:05 Rep. Windy Boy left the meeting.

00:33:28 Juilie Collins, Self

00:35:34 Rep. Olsen joined the meeting.

00:37:42 Rep. Noland rjoined the meeting.

**Opponents' Testimony:**

00:39:28 John Iverson, Montana Tavern Association (MTA)

00:41:17 Brad Griffin, Montana Restaurant Association (MTRA)

00:41:39 Ronda Wiggers, Montana Coin Machine Operators Association

00:42:21 Neil Peterson, Gaming Industry Association (GIA)

**Informational Testimony:**

00:42:47 Shauna Helfert, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

00:43:11 Rep. Trebas  
00:43:45 Rep. Hamilton  
00:44:12 Julie Kleine, Self  
00:45:47 Rep. Curdy  
00:46:55 Shauna Helfert, DOR  
00:47:01 Rep. Loge  
00:47:08 Rep. Noland resumed the chair.  
00:47:49 Julie Collins, self  
00:49:44 Rep. Rosendale  
00:51:19 Rep. Hamilton  
00:52:02 Rep. Zolnikov  
00:53:36 Rep. Hamilton  
00:53:43 Shauna Helfert, DOR

**Closing by Sponsor:**

00:54:05 Rep. Hamilton

**HEARING ON HB 531**

**Opening Statement by Sponsor:**

00:56:13 Rep. Shane Morigeau (D), HD 95, opened the hearing on HB 531, Revise outdoor advertising laws.

**Proponents' Testimony:**

00:58:32 Jim Stone, Stray Bullet Cafe  
01:01:03 Mike Tooley, Department of Transportation (DOT)  
01:02:58 Webb Brown, Montana Chamber of Commerce (MCC)

**Opponents' Testimony:**

01:03:42 Rick McAlmond, Lamar Outdoor Advertising

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:06:04 Rep. Funk  
01:06:44 Mike Tooley, DOT  
01:07:21 Rep. Trebas  
01:08:03 Rep. Morigeau  
01:08:49 Rep. Fitzgerald  
01:11:03 Mike Tooley, DOT  
01:12:11 Rep. Gunderson  
01:13:49 Mike Tooley, DOT

**Closing by Sponsor:**

01:14:18 Rep. Morigeau

01:15:31 Chair Noland  
01:17:56 Rep. Olsen  
01:19:13 Chair Noland  
  
01:23:21 Recessed  
01:59:40 Reconvened with Windy Boy excused.

### **EXECUTIVE ACTION ON HB 449**

01:59:52 **Motion/Vote:** Rep. Zolnikov moved that **HB 449 BE REMOVED FROM TABLE.** Motion carried 15-3 by roll call vote with Rep. Olsen, Rep. Schreiner and Rep. Stewart-Peregoy voting no. Rep. Windy Boy was excused.

02:01:48 **Motion:** Rep. Zolnikov moved that **HB 449 DO PASS.**

02:02:15 **Motion:** Rep. Zolnikov moved that **HB 449 BE AMENDED.**  
[EXHIBIT\(buh41a02\)](#)

#### **Discussion:**

02:03:44 Pat Murdo, Legislative Services Division (LSD)

02:03:57 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

02:04:10 **Motion/Vote:** Rep. Ricci moved that **HB 449 DO PASS AS AMENDED.** Motion carried 13-6 by roll call vote with Rep. Olsen, Rep. Ricci, Rep. Schreiner Rep. Stewart-Peregoy, Rep. Vinton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

### **EXECUTIVE ACTION ON HB 358**

02:05:59 **Motion:** Rep. Ricci moved that **HB 358 DO PASS.**

#### **Discussion:**

02:06:20 Rep. Olsen  
02:06:44 Chair Noland  
02:08:07 Rep. Olsen

02:11:58 **Motion:** Rep. Olsen moved that **HB 358 BE AMENDED.**  
[EXHIBIT\(buh41a03\)](#)

#### **Discussion:**

02:12:17 Rep. Curtis

02:12:48 **Vote:** Motion failed 8-11 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting aye. Rep. Windy Boy voted by proxy.

**Disussion:**

02:13:55 Rep. Funk  
02:14:33 Rep. Olsen  
02:14:44 Rep. Windy Boy joined the meeting.

02:15:53 **Vote:** Motion carried 11-8 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no.

**EXECUTIVE ACTION ON HB 412**

02:17:01 **Motion:** Rep. Ricci moved that **HB 412 DO PASS.**

02:17:21 **Motion:** Rep. Grubbs moved that **HB 412 BE AMENDED.**  
[EXHIBIT\(buh41a04\)](#)

**Discussion:**

02:17:48 Rep. Grubbs

02:18:16 **Vote:** Motion carried unanimously by roll call vote.

02:19:17 **Motion:** Rep. Ricci moved that **HB 412 DO PASS AS AMENDED.**

**Discussion:**

02:19:29 Rep. Grubbs  
02:20:49 Rep. Funk  
02:21:50 Rep. Grubbs  
02:23:10 Rep. Funk  
02:23:40 Rep. Grubbs  
02:24:02 Rep. Curtis

02:25:02 **Vote:** Motion failed 3-16 by roll call vote with Rep. Grubbs, Rep. Loge and Rep. Noland voting aye.

02:25:07 **Motion/Vote:** Rep. Ricci moved that **HB 412 BE TABLED.** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 549**

02:25:30 **Motion/Vote:** Rep. Pierson moved that **HB 549 DO PASS.** Motion failed unanimously by voice vote.

02:26:17 **Motion/Vote:** Rep. Ricci moved that **HB 549 BE TABLED.** Motion carried 18-1 by voice vote with Rep. Pierson voting no.

**EXECUTIVE ACTION ON HB 430**

02:26:46 **Motion:** Rep. Ricci moved that **HB 430 DO PASS.**

02:27:00 **Motion:** Rep. Pierson moved that **HB 430 BE AMENDED.**  
**EXHIBIT**(buh41a05)

**Discussion:**

02:27:27 Pat Murdo, LSD  
02:27:56 Rep. Zolnikov  
02:28:13 Rep. Funk  
02:28:37 Rep. Windy Boy  
02:28:56 Chair Noland  
02:29:10 Rep. Windy Boy

02:30:14 **Vote:** Motion carried unanimously by voice vote.

02:30:42 **Motion:** Rep. Ricci moved that **HB 430 DO PASS AS AMENDED.**

**Discussion:**

02:30:55 Rep. Olsen  
02:31:24 Chair Noland  
02:31:33 Rep. Olsen

02:31:44 **Vote:** Motion carried 13-6 by roll call vote with Rep. Funk, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no.

**EXECUTIVE ACTION ON HB 462**

02:32:50 **Motion:** Rep. Ricci moved that **HB 462 DO PASS.**

02:33:04 **Motion:** Rep. Ricci moved that **HB 462 BE AMENDED.**  
**EXHIBIT**(buh41a06)

**Discussion:**

02:33:37 Rep. Curtis

02:33:47 **Vote:** Motion failed 6-13 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Schreiner and Rep. Vinton voting aye.

02:34:55 Rep. Vinton  
02:35:04 Rep. Olsen

02:35:20 **Motion:** Rep. Ricci moved that **HB 462 BE AMENDED.**  
**EXHIBIT**(buh41a07)

**Discussion:**

02:35:55 Rep. Trebas

02:36:41 **Vote:** Motion carried 14-5 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Olsen, Rep. Stewart-Peregoy and Rep. Windy Boy voting no.

02:37:53 **Motion:** Rep. Ricci moved that **HB 462 DO PASS AS AMENDED.**

**Discussion:**

02:38:15 Rep. Curdy

02:39:04 Rep. Stewart-Peregoy

02:40:30 **Vote:** Motion carried 16-3 by roll call vote with Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no.

**EXECUTIVE ACTION ON HB 506**

02:41:44 **Motion:** Rep. Pierson moved that **HB 506 DO PASS.**

02:42:03 **Motion:** Rep. Ricci moved that **HB 506 BE AMENDED.**  
[EXHIBIT\(buh41a08\)](#)

**Discussion:**

02:42:30 Pat Murdo, LSD

02:43:25 Rep. Olsen

[EXHIBIT\(buh41a09\)](#)

02:45:31 Rep. Curtis

02:45:55 **Substitute Motion :** Rep. Curtis made a substitute motion that **HB 506 BE TABLED.**

02:46:38 Rep. Curtis

02:47:37 Rep. Olsen withdrew her motion to amend

02:47:54 **Vote:** Motion carried 13-6 by roll call vote with Rep. Fitzgerald, Rep. Grubbs, Rep. Gunderson, Rep. Noland, Rep. Trebas and Rep. Zolnikov voting no.

**EXECUTIVE ACTION ON HB 508**

02:49:01 **Motion:** Rep. Ricci moved that **HB 508 DO PASS.**

02:49:24 **Motion/Vote:** Rep. Ricci moved that **HB 508 BE AMENDED.** Motion carried unanimously by voice vote.

[EXHIBIT\(buh41a10\)](#)

02:50:02 **Motion:** Rep. Ricci moved that **HB 508 DO PASS AS AMENDED.**

**Discussion:**

02:50:2 Rep. Curdy  
02:50:47 Rep. Vinton  
02:51:14 Shauna Helfert, Department of Revenue (DOR)  
02:52:47 Rep. Curdy  
02:52:51 Rep. Zolnikov  
02:53:39 Rep. Schreiner

02:54:12 **Vote:** Motion failed 9-10 by roll call vote with Rep. Anderson, Rep. Curtis, Rep. Fitzgerald, Rep. Grubbs, Rep. Gunderson, Rep. Loge, Rep. Trebas, Rep. Vinton and Rep. Zolnikov voting aye.

02:55:33 **Motion/Vote:** Rep. Ricci moved that **HB 508 BE TABLED**. Motion carried 18-1 by voice vote with Rep. Zolnikov voting no.

**EXECUTIVE ACTION ON HB 515**

02:56:01 **Motion:** Rep. Ricci moved that **HB 515 DO PASS**.

**Discussion:**

02:56:22 Rep. Trebas  
02:56:43 Chair Noland  
02:57:58 Rep. Funk

02:58:43 **Vote:** Motion carried 16-3 by roll call vote with Rep. Grubbs, Rep. Ricci and Rep. Rosendale voting no.

**EXECUTIVE ACTION ON HB 291**

02:59:55 **Motion:** Rep. Curtis moved that **HB 291 BE REMOVED FROM TABLE**.

**Discussion:**

03:01:53 Rep. Curtis  
03:02:45 Rep. Trebas  
03:03:09 Rep. Zolnikov  
03:03:37 Rep. Curtis

03:03:43 **Vote:** Motion carried 11-8 by roll call vote with Rep. Fitzgerald, Rep. Grubbs, Rep. Gunderson, Rep. Loge, Rep. Noland, Rep. Ricci, Rep. Rosendale and Rep. Trebas voting no.

03:05:14 Pat Murdo, LSD  
03:07:14 Rep. Anderson requested that action be deferred until later in the meeting.



**EXECUTIVE ACTION ON HB 519**

03:07:39 **Motion/Vote:** Rep. Ricci moved that **HB 519 DO PASS**. Motion carried 10-9 by roll call vote with Rep. Anderson, Rep. Fitzgerald, Rep. Gunderson, Rep. Noland, Rep. Ricci, Rep. Rosendale, Rep. Trebas, Rep. Vinton and Rep. Zolnikov voting no.

**EXECUTIVE ACTION ON HB 541**

03:10:14 **Motion/Vote:** Rep. Ricci moved that **HB 541 DO PASS**. Motion carried 15-4 by roll call vote with Rep. Noland, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no.

**EXECUTIVE ACTION ON HB 531**

03:11:52 **Motion/Vote:** Rep. Ricci moved that **HB 531 DO PASS**. Motion carried 15-4 by roll call vote with Rep. Gunderson, Rep. Noland, Rep. Olsen and Rep. Ricci voting no.

**EXECUTIVE ACTION ON HB 535**

03:13:08 **Motion/Vote:** Rep. Ricci moved that **HB 535 DO PASS**. Motion failed 2-17 by roll call vote with Rep. Grubbs and Rep. Olsen voting aye.

03:14:19 **Motion/Vote:** Rep. Ricci moved that **HB 535 BE TABLED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 557**

03:14:39 **Motion/Vote:** Rep. Ricci moved that **HB 557 DO PASS**. Motion failed 9-10 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy, Rep. Windy Boy and Rep. Zolnikov voting aye.

03:16:23 **Motion/Vote:** Rep. Ricci moved that **HB 557 BE TABLED**. Motion carried 17-2 by voice vote with Rep. Windy Boy and Rep. Zolnikov voting no.

**EXECUTIVE ACTION ON HB 291**

03:16:46 **Motion:** Rep. Ricci moved that **HB 291 DO PASS**.

03:17:38 **Motion:** Rep. Ricci moved that **HB 291 BE AMENDED**.  
[EXHIBIT\(buh41a11\)](#)

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**Discussion:**

03:17:57 Pat Murdo, LSD

03:18:53 Rep. Curtis

03:20:10 **Vote:** Motion carried 18-1 by roll call vote with Rep. Rosendale voting no.

03:20:15 **Motion:** Rep. Ricci moved that **HB 291 DO PASS AS AMENDED.**

**Discussion:**

03:20:33 Rep. Windy Boy

03:20:48 Rep. Curtis

03:21:16 Rep. Zolnikov

03:21:44 Rep. Grubbs

03:22:04 Pat Murdo, LSD

03:22:36 Rep. Grubbs

03:22:47 Chair Noland

03:22:54 Rep. Jacobson

03:23:34 Rep. Olsen

03:24:03 Rep. Windy Boy

03:24:20 Rep. Curtis

03:24:44 **Vote:** Motion carried 15-4 by roll call vote with Rep. Noland, Rep. Rosendale, Rep. Stewart-Peregoy and Rep. Windy Boy voting no.

**EXECUTIVE ACTION ON HB 544**

03:26:35 **Motion:** Rep. Ricci moved that **HB 544 DO PASS.**

**Discussion:**

03:26:59 Rep. Olsen

03:27:37 **Vote:** Motion carried 10-9 by roll call vote with Rep. Anderson, Rep. Fitzgerald, Rep. Grubbs, Rep. Gunderson, Rep. Loge, Rep. Noland, Rep. Ricci, Rep. Rosendale and Rep. Vinton voting no.

03:28:45 Chair Noland

03:29:32 Rep. Olsen

**ADJOURNMENT**

Adjournment: 03:29:58

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT**([buh41aad.pdf](#))